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FILED
FIRE ALARM, BURGLAR ALARM AND
LOCKSMITH ADVISORY COMMITTEE

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
FIRE ALARM, BURGLAR ALARM & LOCKSMITH
ADVISORY COMMITTEE

IN THE MATTER OF THE
APPLICATION OF

WILLIAM J. WILSON

FOR BURGLAR ALARM LICENSE
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DENIAL OF LICENSURE

This matter was opened to the New Jersey Fire Alarm, Burglar Alarm & Locksmith Advisory Committee ("the Committee") upon receipt of information which the Committee has reviewed and on which the following preliminary findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. William J. Wilson ("respondent") applied to the Committee for a burglar alarm license in the State of New Jersey. As part of the application process, the New Jersey Office of Attorney General, Division of Consumer Affairs, Criminal History Review Unit obtained a Criminal History Summary regarding respondent. According to the information provided, respondent has an extensive and lengthy arrest and conviction history spanning seventeen years.

Respondent was first arrested on July 4, 1990 by the Runnemede, New Jersey Police and charged with Larceny (N.J.S.A. 2C:20-3(a)) and Possession of Burglary Tools (N.J.S.A. 2C:5-5).

On September 10, 1990, respondent pled guilty in Runnemede Municipal Court to Vehicle Theft (N.J.S.A. 2C:20-3). The charge of Possession of Burglary Tools (N.J.S.A. 2C:5-5) was dismissed. Respondent was assessed a \$525.00 penalty.

Respondent was arrested again on November 11, 1991 by the Deptford Township, New Jersey Police and charged with Damage to Property (N.J.S.A. 2C:17-3) and Larceny (N.J.S.A. 2C:20-3). On January 29, 1992, respondent pled guilty in Deptford Township Municipal Court to both charges and was assessed a \$185.00 penalty.

Respondent was arrested again on October 27, 1993 by the Gloucester Township, New Jersey Police and charged with Criminal Mischief (N.J.S.A. 2C:17-3), Burglary (N.J.S.A. 2C:18-2) and Theft (N.J.S.A. 2C:20-3). On April 25, 1994, respondent pled guilty in Camden County Superior Court to Receiving Stolen Property (N.J.S.A. 2C:20-7). The charges of Criminal Mischief with Damage (N.J.S.A. 2C:17-3(a)(1)), Theft (N.J.S.A. 2C:20-3) and Possession of Controlled Dangerous Substance or Analog (N.J.S.A. 2C:35-10(a)(1)) were dismissed. On June 3, 1994, respondent was sentenced in Camden County Superior Court to three years probation and ordered to serve 150 hours of community service. On November 14, 1997, respondent was re-sentenced to four years probation with 150 hours of community service. Respondent was arrested yet again on November 4, 1993, by the Gloucester Township, New Jersey Police and charged with Receiving Stolen Property (N.J.S.A. 2C:20-7). No information was available on the disposition of this arrest.

Finally, respondent was arrested on July 19, 2007 by the Cherry Hill Township, New Jersey Police Department and charged with one count of Criminal Mischief (N.J.S.A. 2C:17-3), two counts of Burglary by Entering a Structure (N.J.S.A. 2C:18-2(a)(1)) and two counts of Theft (N.J.S.A. 2C:20-3). On May 27, 2008, respondent pled guilty in Camden County Superior Court to Burglary (N.J.S.A. 2C:18-2) and Burglary by Entering a Structure (N.J.S.A. 2C:18-2(a)(1)). The charges of Criminal Mischief (N.J.S.A. 2C:17-3(a)(1)) and Theft (N.J.S.A. 2C:20-3) were dismissed. On July 11, 2008, respondent was sentenced to 364 days of confinement, four years probation and 100 hours of community service. According to N.J.S.A. 2C:18-2(b), a person who commits Burglary (N.J.S.A. 2C:18-2(a)(1)) is guilty of a crime of the third degree.

CONCLUSIONS OF LAW

1. The above preliminary findings of fact provide grounds for denying respondent's application for a burglar alarm license in New Jersey, pursuant to N.J.S.A. 45:5A-27(b)(2) and N.J.A.C. 13:31A-2.1(a)(3), in that respondent's July 11, 2008 convictions for Burglary (N.J.S.A. 2C:18-2) and Burglary by Entering a Structure (N.J.S.A. 2C:18-2(a)(1)) are crimes of the third degree, under the New Jersey Code of Criminal Justice, which occurred within ten years prior to the filing of the application for licensure

2. Additionally, the above preliminary findings of fact provide grounds for denying respondent's application for a burglar alarm license in New Jersey, pursuant to N.J.S.A. 45:5A-27(b)(2) and N.J.A.C. 13:31A-2.1(a)(2) in that respondent's seventeen year criminal arrest and conviction history, which involved a total of five arrests, two disorderly person related convictions and three criminal convictions, demonstrates a lack of good moral character on behalf of the respondent.

3. The above preliminary findings of fact also provide grounds for denying respondent's application for a burglar alarm license in New Jersey, pursuant to N.J.S.A. 45:1-21(f), in that respondent's 1994 conviction in Camden County Superior Court for Receiving Stolen Property (N.J.S.A. 2C:20-7) and respondent's 2008 convictions for Burglary (N.J.S.A. 2C:18-2) and for Burglary by Entering Structure (N.J.S.A. 2C:18-2(a)(1)), are convictions of, or acts constituting, any crime or offense involving moral turpitude or relating adversely to the activity regulated by the Committee.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Denial of Licensure was entered on October 17, 2012. The Provisional Order was subject to finalization by the Committee at 5:00 p.m. on the 30th business day following its entry unless respondent requested a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal, setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed, and submitting any and all

documents or other written evidence supporting respondent's request for consideration and reasons therefore.

A copy of the Provisional Order was forwarded to respondent's address of record via certified and regular mail. The Committee received a signed certified mail receipt, dated October 21, 2012 and bearing respondent's signature, confirming that the Provisional Order of Denial of Licensure was received at the respondent's address of record. The regular mail was not returned to the Committee.

Respondent failed to provide a response to the Provisional Order of Denial of Licensure. Since the Provisional Order of Denial of licensure was served at respondent's address of record, the Committee deems service to be effected. The Committee finds that respondent's July 11, 2008 convictions for Burglary (N.J.S.A. 2C:18-2) and Burglary by Entering a Structure (N.J.S.A. 2C:18-2(a)(1)) are crimes of the third degree, under the New Jersey Code of Criminal Justice, which occurred within ten years prior to the filing of respondent's application for licensure. Therefore, the Committee finds that respondent is prohibited from being licensed, pursuant to N.J.S.A. 45:5A-27(b)(2) and N.J.A.C. 13:31A-2.1(a)(3).

The Committee also finds that respondent's seventeen year criminal arrest and conviction history, which involved a total of five arrests, two disorderly person related convictions and three criminal convictions, demonstrates a lack of good moral character on behalf of the respondent, pursuant to N.J.S.A. 45:5A-27(b)(2) and N.J.A.C. 13:31A-2.1(a)(2).

Finally, the Committee finds that respondent's 1994 conviction in Camden County Superior Court for Receiving Stolen Property (N.J.S.A. 2C:20-7) and respondent's 2008 convictions for Burglary (N.J.S.A. 2C:18-2) and Burglary by Entering a Structure (N.J.S.A. 2C:18-2(a)(1)), are convictions of, or acts constituting, any crime or offense involving moral turpitude or relating adversely to the activity regulated by the Committee, pursuant to N.J.S.A. 45:1-21(f).

As a result of the above findings, the Committee determined that the Provisional Order of Denial of Licensure is to be finalized as written.

ACCORDINGLY, IT IS on this 15 day of January, 2013

ORDERED that:

1. Respondent's application for a burglar alarm license in New Jersey is hereby denied.

FIRE ALARM, BURGLAR ALARM AND LOCKSMITH ADVISORY COMMITTEE

By: 

Charles Okun
Committee Chairman